

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 07-396 (1) (RHK/AJB)

Plaintiff,

ORDER

v.

Refugio Gadea Pliego,

Defendant.

Upon all the files, records and proceedings herein, and the undersigned's de novo review of Magistrate Judge Arthur J. Boylan's January 7, 2008, Report and Recommendation and Defendant's Objections thereto, **IT IS ORDERED:**

1. The Objections (Doc. No. 52) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 46) is **ADOPTED**;
3. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 23) is **DENIED**
4. Defendant's Motion to Dismiss for Lack of Jurisdiction (Doc. No. 25) is **DENIED**;
5. Defendant's Motion to Dismiss Indictment for Insufficiency (Doc. No. 26) is **DENIED**; and
6. Defendant's Supplemental Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 33) is **DENIED**.

Dated: February 8, 2008

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge